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September 12, 2024

By ECF

Honorable Lewis J. Liman
United States District Court
United States Courthouse
500 Pearl Street
New York, New York 10007

Re: *United States v. Michael Shvartsman*, 23 Cr. 307 (LJL)

Dear Judge Liman:

This letter respectfully requests a brief adjournment of Mr. Shvartsman's sentence date. At the time of Mr. Shvartsman's plea on April 3, 2024, this Court scheduled sentencing for July 17, 2024, at 2:00 p.m. Subsequently, on May 23, 2024, this Court granted a defense request to reschedule the sentencing from July 17 and moved it to September 19, 2024, at 11 am. Then, on August 6, 2024, the Court *sua sponte* rescheduled Mr. Shvartsman's sentence to October 10, 2024, at 10:30 am. For the reasons set forth below, defense counsel respectfully requests to adjourn the sentence just a few weeks, to the week of October 28th. The government opposes an adjournment beyond the week of October 14th, so the issue is only 10 days. But for the reasons below, that is meaningful to defense counsel to properly prepare for Mr. Shvartsman's sentence.

Undersigned counsels' availability in September and early October is limited. Undersigned counsel is in Seattle, WA, the week of September 9-13, on an unrelated federal matter. Mr. Vacco is departing on Friday, September 13th, on an overseas trip and does not return until September 23d. Undersigned counsel will be in Israel from September 18-25th. And, undersigned counsel's longtime associate, who is also working on the sentencing materials, will be in Israel from September 16-26th. (It is her daughter's wedding) Then, the Jewish Holidays are October 2-4, and October 11. And counsel have other work commitments in October.

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We understand the Government's desire to bring closure to this case, but our requested adjournment only delays the sentencing by less than two weeks from the week of October 14th, to which the government agrees, to the week of October 28th. Given counsels' various commitments in September and October, we do not believe this modest request is unreasonable. There is a lot to do to prepare for sentence and we have been working. Finally, although other counsel have appeared in this matter, undersigned counsel and Mr. Vacco are handling the sentence.

Thank you for your consideration of this matter.

Respectfully yours,

/s/

Alan S. Futerfas

cc: All counsel via ECF